



Crl.M.P.No.6115 of 2022
in Crl.O.P.No.13416 of 2021

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M.DHANDAPANI, J.

This petition has been filed by the petitioner/*de facto* complainant to cancel the bail granted to the 2nd respondent/accused by this Court in Crl.O.P.No.13416 of 2021, vide order dated 03.08.2021.

2.The 2nd respondent/accused filed an anticipatory bail petition in Crl.O.P.No.13416 of 2021 before this Court, apprehending arrest for the alleged offences under Sections 457 and 380 IPC in Crime No.not known on the file of the respondent police.

3.The case of the prosecution is that the accused and the *de facto* complainant are close relatives. It is alleged that the accused had borrowed a sum of Rs.49,000/- as hand loan and failed to re-pay the same and she has stolen some valuables from the house of the *de facto* complainant. Hence, the compliant.



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4.This Court, by order dated 03.08.2021 in Crl.O.P.No.13416 of 2021, granted anticipatory bail to the 2nd respondent/accused by imposing certain conditions, one of which is that the accused should execute a bond with two sureties.

5.The learned counsel for the petitioner/*de facto* complainant submitted that the 2nd respondent/accused has not executed the bond with sureties and has not complied with the other conditions imposed by this Court while granting anticipatory bail. Therefore, the learned counsel prayed for cancellation of bail.

6.Since the petitioner was unable to serve notice on the 2nd respondent/accused, this Court allowed the petition filed by the petitioner for substituted service. Accordingly, paper publication was effected and an Affidavit of Service has also been filed before this Court. Though the name of the 2nd respondent/accused is printed in the cause list, no one appears for the 2nd respondent/accused.



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7.The learned Government Advocate (Crl. Side) appearing for the 1st respondent submitted that a report was obtained from the learned Judicial Magistrate No.II, Poonamallee, stating that, as on date, the accused has not executed any bond with sureties as directed by this Court, while granting anticipatory bail to the accused. He further submitted that the 2nd respondent/accused has not complied with the other conditions imposed on her by this Court and hence, prayed for cancellation of bail.

8.Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the petitioner/*de facto* complainant and the learned Government Advocate (Crl. Side) that the 2nd respondent/accused has not complied with the conditions imposed on her by this Court, the anticipatory bail granted to the 2nd respondent/accused vide order dated 03.08.2021 in Crl.O.P.No.13416 of 2021, stands cancelled.

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9. Accordingly, this petition is allowed.

26.07.2022

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